


Patrick M. Flatley
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG DIVISION**

In re:

**EDWARD C WALLMAN
TINA J. WALLMAN,**

DEBTORS.

CHAPTER 7

CASE NO. 19-00957

SPECIALIZED LOAN SERVICING LLC,

MOVANT,

vs.

**EDWARD C WALLMAN
TINA J. WALLMAN,**

RESPONDENTS.

AMENDED ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY

The Motion for Relief from the Automatic Stay filed by Specialized Loan Servicing LLC ("Movant") having been properly served, with no responses having been filed with a default order having been entered on December 9, 2019, with it being the desire of the parties to amend the December 9, 2019 order and with all parties or their counsel having endorsed this Amended Order and agreeing to its entry:

That this Court has jurisdiction pursuant to 28 U.S.C. §1334 and §157 and 11 U.S.C. §362 and this is a core matter. Further, the Secured Creditor is the current payee of a promissory note dated the March 31, 2008, in the principal amount of \$220,186.00, secured by a Deed of Trust of the same date upon property generally described in the Security Agreement as being situate in the County of Washington, Maryland, and having a mailing address of **14080 Hollow Road, Hancock, MD 21750**, ("Secured Property"). It is therefore:

ORDERED that the automatic stay of 11 U.S.C. §362(a) is hereby terminated as to the Debtors to permit the Movant and its successors and assigns to pursue its remedies as they exist at state law, as it pertains to and as to any purchaser at a foreclosure sale conducted at

the direction of the Movant under the provisions of the Deed of Trust dated March 31, 2008, including but not limited to pursuing loan modification or loss mitigation, regarding the real property located at **14080 Hollow Road, Hancock, MD 21750** and to pursue such remedies as it may have in its Deed of Trust whereby it obtained such lien.

ORDERED that the automatic stay of 11 U.S.C. §362(a) is hereby terminated as to all parties to permit the Movant and its successors and assigns to enforce the lien of its Deed of Trust as it pertains to the real property located at **14080 Hollow Road, Hancock, MD 21750** and more particularly described as follows:

The land referred to in this policy is situated in the State of MD, County of Washington, City of Hancock and described as follows:

Parcel No. 1: All the following described real estate beginning in the center of Hollow Road (formerly known as Sylvan Road) at the end of the seventh line in the conveyance from Nettie L. Meyers to Beatrice Georgia Spade by deed dated August 19, 1959, and recorded in Liber 350, folio 242, among the land records of Washington County, Maryland, and reversing the direction of said seventh line north 49° east 208.00 feet to the end of the sixth line of said deed, thence with said sixth line reversed north 12° west 326.00 feet to a post at the end of the fifth line of said deed, thence with a portion of the fifth line north 64° 30 minutes west 89.0 feet, thence South 78° west 154.0 feet to a point on the Eastern Marginal Line of a ten -foot easement conveyed to Mickey R. Thompson and wife by deed dated August 6, 1966, and recorded in liber 444, folio 507 among the land records of Washington County, and the Eastern Marginal Line of said easement South 12° east 478.0 feet to the center line of Hollow Road, and to a point in the eighth line North 61° 45 minutes east approximately 4.0 feet to the place of beginning; containing 2.0 acres, more or less.

Parcel No. 2: All the following described parcel of land being conveyed for the purposes of enlargement of an existing lot and situate in election district 15, along the North Side of Hollow Road, approximately 1.3 miles North of the intersection of Hollow Road with State of Route 615, in Washington County, Maryland, and being more particularly described as follows: Beginning at a concrete monument found, being a common corner with lands of Arlie G. Spade (to with this tract or parcel is being added, L. 492, F. 437) and with lands of J. Austin McKee (L. 318, F. 582); thence with Spade's original lot or parcel south 76° 17 minutes 02 seconds West 152.17 feet to a metal post, found, said post being at the Northeast corner of a recorded right-of-way (L. 444, F. 507) and being a common corner with Beatrice G. Spade (L. 551, F. 730, the property from which this tract or parcel is being conveyed; thence with new division lines through the land of Beatrice Spade the following two courses and distances north 69° 18 minutes 10 seconds West 294.24 feet to an iron pin with a yellow cap, set, thence North 07° 28 minutes 53 seconds West 168.05 feet to an iron pin with a yellow cap, set, said iron pin intended to be on the line of J. Austin McKee (L. 318, F. 582); thence with McKee South 62° 12 minutes 26 seconds East 502.99 feet to the point of beginning; containing a net area of 1.08 acres, more or less, as surveyed by Dennis K. Golden, P.L.S. of Warfordsburg, Pennsylvania (Maryland surveyor number 529) and as shown on a plat of that survey entitled Simplified Plat of "Parcel A" to be conveyed to Arline G. Spade and June 27, 1995 and being recorded as Washington County Plat No. 4698.

<redacted>
WITH THE APPURTENANCES THERETO.
<redacted>

ORDERED that relief is granted to allow Specialized Loan Servicing LLC, its successors and/or assigns to proceed to hold a foreclosure sale on the subject property and to take any such action as may be necessary to obtain possession of said premises identified as **14080 Hollow Road, Hancock, MD 21750**

It is further **ORDERED** that the fourteen (14) day stay is hereby waived and the terms of this Order are immediately enforceable.

I ask for this:

By: /s/ D. Carol Sasser

W. Scott Campbell, Esquire, Bar No. 4232

Fabio Crichigno, Esquire, Bar No. 10074

Robert Kelly, Esquire, Bar No. 12917

601 Morris Street, Suite 400

Charleston, WV 25301

Johnie R. Muncy, Esquire, Bar No. 12790

1804 Staples Mill Road, Suite 200

Richmond, VA 23230

D. Carol Sasser, Esquire, Bar No. 12709

596 Lynnhaven Parkway, Suite 200

Virginia Beach, VA 23452

Samuel I. White, P.C.

Tel: (757) 490-9284

Fax: (757) 497-2802(757) 490-8143

dsasser@siwpc.com

Counsel for Specialized Loan Servicing LLC

Seen and Agreed:

/s/ Michael Novotny (electronic signature affixed pursuant to email authorization of January 17, 2020)

Michael J. Novotny

Counsel for Debtors

36 Bakerton Road Suite 205

Harpers Ferry, WV 25425

/s/ Aaron C. Amore (electronic signature affixed pursuant to email authorization of January 27, 2020)

Aaron C. Amore

Chapter 7 Trustee

206 West Liberty Street

Post Office Box 386

Charles Town, WV 25414

Case No. 19-00957

CERTIFICATE OF SERVICE

I hereby certify that this proposed Order has been endorsed by all necessary parties involved this proceeding.

By: /s/ D. Carol Sasser
D. Carol Sasser, Esquire
Samuel I. White, P.C.

The Clerk shall mail a copy of the entered Order to the following:

Aaron C. Amore
Chapter 7 Trustee
206 West Liberty Street
Post Office Box 386
Charles Town, WV 25414

Michael J. Novotny
Counsel for Debtors
36 Bakerton Road Suite 205
Harpers Ferry, WV 25425

Edward C. Wallman and Tina J. Wallman
Debtors
128 Shepherds Rest Lane
Harpers Ferry, WV 25425

In re:
Edward C. Wallman
Tina J. Wallman
Debtors

Case No. 19-00957-pmf
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0424-3

User: ad
Form ID: pdfdoc

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jan 29, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 31, 2020.

db/jdb +Edward C. Wallman, Tina J. Wallman, 128 Shepherds Rest Lane, Harpers Ferry, WV 25425-6911

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 31, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 29, 2020 at the address(es) listed below:

Aaron C. Amore amorewt@gmail.com, aca@trustesolutions.net; jackiewvt@gmail.com; annwvt@gmail.com
Aaron C. Amore on behalf of Trustee Aaron C. Amore amorewt@gmail.com,
aca@trustesolutions.net; jackiewvt@gmail.com; annwvt@gmail.com
Dorothy Carol Sasser on behalf of Creditor Specialized Loan Servicing LLC dsasser@siwpc.com,
fcrichigno@siwpc.com; wcampbell@siwpc.com; rkelly@siwpc.com; jmuncy@siwpc.com; mfreeman@siwpc.com; bkr
eferrals@siwpc.com; siwbkecf@siwpc.com; siwpc@ecf.courtdrive.com; siwattecfc@siwpc.com
Fabio Crichigno on behalf of Creditor Specialized Loan Servicing LLC fcrichigno@siwpc.com,
wcampbell@siwpc.com; rkelly@siwpc.com; dsasser@siwpc.com; jmuncy@siwpc.com; mfreeman@siwpc.com; bkrefe
rrals@siwpc.com; siwbkecf@siwpc.com; siwpc@ecf.courtdrive.com; siwattecfc@siwpc.com
Johnie Rush Muncy on behalf of Creditor Specialized Loan Servicing LLC jmuncy@siwpc.com,
fcrichigno@siwpc.com; wcampbell@siwpc.com; rkelly@siwpc.com; dsasser@siwpc.com; mfreeman@siwpc.com; bk
referrals@siwpc.com; siwbkecf@siwpc.com; siwpc@ecf.courtdrive.com; siwattecfc@siwpc.com
Michael J. Novotny on behalf of Joint Debtor Tina J. Wallman novotnylawyer@gmail.com,
trish.novotnylawyer@gmail.com
Michael J. Novotny on behalf of Debtor Edward C. Wallman novotnylawyer@gmail.com,
trish.novotnylawyer@gmail.com
Robert Charles Kelly on behalf of Creditor Specialized Loan Servicing LLC rkelly@siwpc.com,
fcrichigno@siwpc.com; wcampbell@siwpc.com; dsasser@siwpc.com; jmuncy@siwpc.com; mfreeman@siwpc.com; bk
referrals@siwpc.com; siwbkecf@siwpc.com; siwpc@ecf.courtdrive.com; siwattecfc@siwpc.com
United States Trustee ustpreion04.ct.ecf@usdoj.gov
W. Scott Campbell on behalf of Creditor Specialized Loan Servicing LLC wcampbell@siwpc.com,
fcrichigno@siwpc.com; rkelly@siwpc.com; dsasser@siwpc.com; jmuncy@siwpc.com; mfreeman@siwpc.com; bkref
errals@siwpc.com; siwbkecf@siwpc.com; siwpc@ecf.courtdrive.com; siwattecfc@siwpc.com

TOTAL: 10